



**San Bernardino Associated Governments**  
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- San Bernardino County Transportation Commission •San Bernardino County Transportation Authority  
•San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies
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## AGENDA

### Board of Directors Meeting

**June 2, 2004**

**Start Time: 9:30 a.m.**

#### LOCATION

Norman Feldheym Library, Mary Kellogg Room  
555 Sixth Street, San Bernardino

### Board of Directors

#### President

Bill Alexander, Mayor  
City of Rancho Cucamonga

Kelly Chastain, Council Member  
City of Colton

Gary Ovitt, Mayor  
City of Ontario

Paul Cook, Council Member  
Town of Yucca Valley

#### Vice-President

Paul Biane, Supervisor  
County of San Bernardino

Mark Nuaimi, Mayor  
City of Fontana

Pat Gilbreath, Council Member  
City of Redlands

Dennis Hansberger, Supervisor  
County of San Bernardino

Jim Nehmens, Mayor  
City of Adelanto

Bea Cortes, Council Member  
City of Grand Terrace

Kurt Wilson, Mayor Pro Tem  
City of Rialto

Bill Postmus, Supervisor  
County of San Bernardino

Edward (Ted) Burgnon, Council Member  
Town of Apple Valley

James Lindley, Council Member  
City of Hesperia

Judith Valles, Mayor  
City of San Bernardino

Clifford Young, Supervisor  
County of San Bernardino

Lawrence Dale, Mayor  
City of Barstow

Larry McCallon, Mayor Pro Tem  
City of Highland

Jim Bagley, Mayor  
City of Twentynine Palms

Patti Aguiar, Supervisor  
County of San Bernardino

Neal Hertzmann, Council Member  
City of Big Bear Lake

Robert Christman, Council Member  
City of Loma Linda

John Pomierski, Mayor  
City of Upland

Anne Mayer, Caltrans  
Ex-Officio Member

Eunice Ulloa, Mayor  
City of Chino

Paul Eaton, Mayor  
City of Montclair

Mike Rothschild, Council Member  
City of Victorville

Norman R. King  
Executive Director

Gwenn Norton-Perry, Council Member  
City of Chino Hills

Rebecca Valentine, Council Member  
City of Needles

Richard Riddell, Mayor  
City of Yucaipa

**San Bernardino Associated Governments  
County Transportation Commission  
County Transportation Authority  
County Congestion Management Agency  
Service Authority for Freeway Emergencies**

**Board of Directors**

**AGENDA**

**June 2, 2004  
9:30 a.m.**

**Location:**

Norman Feldheym Library, Mary Kellogg Room  
555 Sixth Street, San Bernardino

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| To obtain additional information on any items, please contact the staff person listed under each item. You are encouraged to obtain any clarifying information prior to the meeting to allow the Board to move expeditiously in its deliberations. Additional meeting procedures and agenda explanations are attached to the end of this agenda. |
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Call to Order - 9:30 a.m.  
(Meeting chaired by Mayor Bill Alexander)

- I. Attendance
- II. Announcements
- III. Agenda Notices/Modifications – Vicki Watson

***Notes/Actions:***

**1. Possible Conflict of Interest Issues for the SANBAG Board Meeting of June 2, 2004. Pg. 10**

Note agenda item contractors, subcontractors and agents, which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

[BRD0406z-ty.doc](#)

## **Consent Calendar**

Consent Calendar items shall be adopted by a single vote unless removed by Board member request. Items pulled from the consent calendar will be brought up under Agenda Item 18.

### **Administrative Matters**

2. **Board of Directors Attendance Roster** [brdatt04.doc](#) Pg. 12
3. **Procurement Report for April 2004** Pg. 16  
Receive Monthly Procurement Report. **Susan Van Note**  
**This item was unanimously received by the Administrative Committee on May 12, 2004.** [BRD0406a-svn.doc](#)
4. **Lease of SANBAG Office Space** Pg. 18  
Note Administrative Committee approval of authorization for the Executive Director to utilize Holdover Provision included in SANBAG Agreement No. 03-040 for leased office space at 444 North Arrowhead Avenue. **Darren Kettle**  
**This item was reviewed and unanimously approved by the Administrative Committee on May 12, 2004.**  
[brd0406a-dmk.doc](#)
5. **Request for Proposal (RFP) for Banking Services** Pg. 22  
Approve release of Request for Proposal (RFP) No. 05-004 for Banking Services. **Susan Van Note**  
**This item was reviewed and unanimously recommended for approval by the Administrative Committee on May 12, 2004.**  
[BRD0406c-svn.doc](#)
6. **Measure I Summary Audit Report** Pg. 30  
Accept the Measure I Summary Audit Report of Local Pass-Through Funds for the year ending June 30, 2003, for the jurisdictions in the Valley and Mountain/Desert Regions.  
**Deborah Barmack**  
**The Valley Measure I Audits were reviewed and approved by the Plans and Programs Committee on April 21, 2004, and the Mountain/Desert Measure I Audits were approved by the Mountain/Desert-Committee on April 14, 2004. This item is scheduled for review by the SANBAG Board of Directors on June 2, 2004.** [BRD0406B-DRB.DOC](#)

**Consent Calendar Continued....**

**Regional & Quality of Life Programs**

**7. Quarterly Administrative Report on SANBAG TEA-21 Funding Programs Pg. 32**

- 1) Receive report on quarterly reporting and obligation status.
- 2) Adopt a finding of compliance with obligation requirements for all affected agencies. **Ty Schuiling**

**This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on May 19, 2004 and by the Mountain/Desert Committee on May 21, 2004. [BRD0406-bct.doc](#)**

**8. Long Range Transit Plan (LRTP) for San Bernardino County Pg. 40**

Approve SANBAG Contract 04-058 to the firm of Parsons Transportation Group, Inc. in an amount not to exceed \$300,000 as identified in the Financial Impact Section. **Mike Bair**

**This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on May 19, 2004. [BRD0406d-mab.doc](#)**

**Transit/Commuter Rail**

**9. California High Speed Rail Authority Programmatic Environmental Impact Report and Environmental Impact Statement (PEIR/EIS) for the Proposed Statewide High Speed Train System Pg. 66**

- 1) Support retention of both San Bernardino County high speed rail alignments; either via the San Bernardino Metrolink station or an I-10 alignment through Colton.
- 2) Support two route and station alignment options at Los Angeles Union Station—Existing Union Station or Union Station South (Through)—and oppose the LA River East station and alignment option in Downtown Los Angeles.
- 3) Support additional route-specific studies only if the Los Angeles-San Diego route via the Inland Corridor is included in the Phase I system plan. **Mike Bair**

**The Commuter Rail Committee, acting as a committee of the whole, reviewed and unanimously recommended approval of this item on May 12, 2004. [BRD0406a-mab.doc](#)**

**Consent Calendar Continued....****Transit/Commuter Rail (Cont.)****10. Southern California Regional Rail Authority (SCRRA) Fiscal Year 2004/2005 Preliminary Budget** Pg. 76

1) Approve the SANBAG Fiscal Year 2004/2005 Operating Assistance Financial Contribution to the SCRRA as follows: \$5,149,000 as identified in the SCRRA Preliminary Budget plus \$271,350 for FY 2004/2005 commuter rail equipment lease expense for a total of \$5,420,350 in Valley LTF as identified in the Financial Impact Section.

2) Approve the SANBAG Fiscal Year 2004/2005 Capital Assistance Financial Contribution to the SCRRA as follows: \$315,597 in Valley LTF for the capital replacement fund and \$3,090,000 (\$2,472,000 in FTA Section 5309 Rail Modernization, \$360,000 in Valley LTF and \$258,000 in State Transit Assistance (STA)) for capital rehabilitation/renovation (capital maintenance) projects as identified in the SCRRA Preliminary Budget plus \$4,121,000 (\$3,770,000 in FTA Section 5307 Fixed Guideway and \$351,000 in Valley LTF), for new capital projects not currently included in the SCRRA Preliminary Capital Budget. The total capital contribution to SCRRA in Fiscal Year 2004/2005 will be \$7,526,597 as identified in the Financial Impact Section.

**Mike Bair**

**The Commuter Rail Committee, acting as a committee of the whole, reviewed and unanimously recommended approval of this item on May 12, 2004. [BRD0406b-mab.doc](#)**

**11. Sale of Surplus Property Located between 3<sup>rd</sup> Avenue and 6<sup>th</sup> Avenue in the City of Upland** Pg. 82

1. Find that approximately 0.62 acres of the non-operating property between 3<sup>rd</sup> and 6<sup>th</sup> Avenues in the City of Upland is no longer required for SANBAG use; (four-fifths vote required).

2. Approve the Purchase and Sale Agreement (Contract 04-061) for the sale of approximately 0.62 acres of non-operating property to the Upland Community Redevelopment Agency for the appraised value of (preliminary appraisal value expected by 5/4 and final appraisal value by 5/14) as identified in the Financial Impact Section.

3. Approve Amendment to SANBAG Lease Agreement (Contract 97-035) with the City of Upland reducing the area of the lease by the approximately 0.62 acres acquired by the Upland Community Redevelopment Agency. **Mike Bair** [BRD0406c-mab.doc](#)

**Both the Purchase and Sale Agreement and the Amendment to Lease Agreement have been reviewed and approved by SANBAG Counsel. The Commuter Rail Committee, acting as a committee of the whole, reviewed and unanimously recommended approval of this item on May 12, 2004.**

**Consent Calendar Continued....**

**Transportation Programs & Fund Administration**

**12. Omnitrans Short Range Transit Plan (SRTP) Amendment and State Transit Assistance Fund (STAF) Allocation** Pg. 110

1. Approve amendment to Omnitrans' Fiscal Year 2004-2009 SRTP to reflect the addition of the Chino Transit Center Project.
2. Adopt Resolution 04-024 rescinding a portion of the STAF Allocation number 02-05-OMN-B in the amount of \$609,865 and a portion Allocation Number 03-08-OMN-B in the amount of \$36,336 for a total recession of \$646,201.
3. Adopt Resolution 04-025 authorizing STAF Allocation number 04-12-OMN-B in the amount of \$646,201 for a portion of their local funding obligation for the Chino Transcenter.

**Victoria Baker**

**This item has not had prior policy committee review, but is deemed ministerial in nature. [BRD0406a-vlb.doc](#)**

**DISCUSSION ITEMS**

**Administrative**

**13. Set Election of SANBAG Officers for 2004/2005** Pg. 116

Set election for President and Vice President of the SANBAG Board of Directors to be conducted at the July 7, 2004, meeting.

**Deborah Barmack**

**This item has not been reviewed by any SANBAG policy committee [BRD0406C-DRB.doc](#)**

**14. Adoption of the SANBAG 2004/2005 Budget** Pg. 120

1. Conduct the Public Hearing on the Proposed 2004/2005 SANBAG budget, and;

2. Adopt the 2004/2005 Budget. **Susan Van Note**

**This budget was unanimously recommended for adoption by the Administrative Committee and all of the members who participated in the May 12, 2004 Board Budget Workshop. All five of the SANBAG policy committees have reviewed task descriptions and budgets for activities under their purview.**

**[brd0406b-svn.doc](#)**

## **Discussion Items Continued....**

### **Administrative (Cont.)**

**15. Measure I Extension Ordinance and Request for Placement on November 2004 Ballot** Pg. 122

1. Find that the approval by the San Bernardino County Transportation Authority of Ordinance No. 04-01, requesting the Board of Supervisors to place a measure on the ballot to extend the existing one half of one percent sales tax for transportation purposes, is a project exempt under the California Environmental Quality Act Guidelines, Section 15378(b)(3) and Public Resources Code Section 21080(b)(13).

2. Approve Ordinance No. 04-01 by two-thirds vote providing for the continuation of a one-half of one percent retail transactions and use tax by the San Bernardino County Transportation Authority for local transportation purposes.

3. Adopt the Transportation Expenditure Plan for the revenues expected to be derived from the tax together with other federal, state, and local funds expected to be available for transportation improvements, for the period during which the tax is to be imposed.

4. Request the San Bernardino County Board of Supervisors to call an election for voter approval of the proposition as specified in Exhibit C of Ordinance No. 04-01 for the extension of the Measure "I" tax. **Deborah Barmack** [BRD0406A-DRB.doc](#)

**In May, all SANBAG policy committees reviewed this item and unanimously recommended that Measure I extension be placed on the November ballot. Also during the month of May, the Board of Supervisors and each city considered the Measure I Expenditure Plan. At the time of this agenda item preparation, approvals surpassed the minimum required by law.**

**16. Development Mitigation Principles** Pg. 152

1) Approve policy that the scope of the Nexus Study is limited to definition of the total fair share cost of growth on regional transportation facilities within each jurisdiction. Apportionment of each jurisdiction's fair share cost among types of development is a local jurisdiction responsibility.

2) Approve Proposed Development Mitigation Principles. **Ty Schuiling** [brd0406a-tv.doc](#)

**This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee and the Major Projects Committee on May 19, 2004.**

## **Discussion Items Continued....**

### **Regional & Quality of Life Programs**

- 17. Amendment No 1 to Contract No. 04-002 with Comarco Wireless Technologies for Call Box Operation and Maintenance Services** Pg. 160

Approve Amendment No. 1 to sole source Contract No. 04-002, between the San Bernardino County Service Authority for Freeway Emergencies (SAFE) and Comarco Wireless Technologies (CWT), for the provision of Call Box Operation and Maintenance Services, extending the contract from July 1, 2004 through June 30, 2005, as specified in the Financial Impact Section. **Michelle Kirkhoff**

**This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on May 19, 2004. The SAFE Counsel has approved the contract as to form. [BRD0406a-MMK.doc](#)**

### **Other Matters**

- 18. Consent Calendar Items Pulled for Discussion**

Items pulled from the consent calendar shall be taken under this item in the order they were presented on the calendar.

- 19. Agency Reports/Committee Memberships**

Commuter Rail Report (*Not Available at Time of Mailing*) Pg.

Council Member Patricia Gilbreath

South Coast Air Quality Management Report Pg. 170

Council Member Dennis Yates

**SCAG Committees** Pg. 174

SCAG Regional Council

SCAG Standing Committees

Administration Committee

Implementation Committee

Planning Committee

SCAG Policy Committees

Community, Economic and Human Development

Energy and Environment

Transportation and Communications

SANBAG Policy Committees Pg. 176

Acronym List [Acronym List.doc](#) Pg. 178



**Public Comment**

- 20. Additional Items from Board Members**
- 21. Brief Comments by the General Public**

**CLOSED SESSION**

Government Code Section 54957.6  
Conference with Labor Negotiator Bill Alexander regarding position of  
Executive Director.

- 22. Executive Director Employment Contract Amendment** Pg. 180  
Approve Amendment No. 7 to the Executive Director Employment  
Contract. **Bill Alexander** [BRD0406D-DRB.doc](#)

**ADJOURNMENT**

Complete packages of the SANBAG agenda are available for public review at the SANBAG offices. Staff reports for items may be made available upon request. For additional information call, (909) 884-8276.

### **Meeting Procedures**

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the San Bernardino Associated Governments (SANBAG) Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the SANBAG Board of Directors and Policy Committees.

### **Accessibility**

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 472 N. Arrowhead Avenue, San Bernardino, CA.

**Agendas** – All agendas are posted at 472 N. Arrowhead Avenue, San Bernardino at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed at the SANBAG offices located at 472 N. Arrowhead Avenue, San Bernardino.

**Agenda Actions** – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

**Closed Session Agenda Items** – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

**Public Testimony on an Item** – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the SANBAG Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item when an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

**Agenda Times** – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

**Public Comment** – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject with SANBAG's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. The time limits established in Rule #4 still apply.*

**Disruptive Conduct** – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for SANBAG meetings. Your cooperation is appreciated!*